

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHELLE BRENER,

Plaintiff,

v.

Case No.: 2:20-cv-77-FtM-38NPM

MANZO, INC. and ROBERTA
BROTHERS,

Defendants.

ORDER¹

Before the Court is the parties' Joint Stipulation of Dismissal with Prejudice Pursuant to Rule 41(a)(1)(A)(ii). ([Doc. 29](#)). If signed by all parties, the dismissal is effective upon filing and requires no further action by the Court. See [Anago Franchising, Inc. v. Shaz, LLC](#), 677 F.3d 1272, 1278 (11th Cir. 2012). This is a Fair Labor Standards Act ("FLSA") case though, which typically require the Court to scrutinize a settlement for fairness. Here, however, the parties represent to the Court that Plaintiff's FLSA wage claim was settled without compromise to be paid in full. Also, the parties affirm attorney's fees were negotiated separately without regard to the amount owed to Plaintiff. Therefore, the Court need not review and approve the settlement for fairness. See [Lynn's Food Stores, Inc. v. U.S. Dep't of Labor](#), 679 F.2d 1350, 1352 (11th Cir. 1982); see also [Bonetti v. Embarq Mgmt. Co.](#), 715 F. Supp. 2d 1222, 1226 n.6 (M.D. Fla. 2009); [Mackenzie v. Kindred Hosps. East, L.L.C.](#), 276 F. Supp. 2d 1211, 1217 (M.D. Fla. 2003).

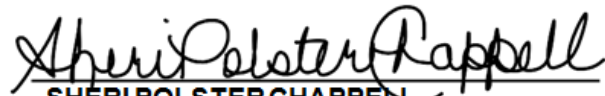
¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

Accordingly, it is now

ORDERED:

1. This case is **DISMISSED with prejudice**.
2. The Clerk is **DIRECTED** to enter judgment, terminate all pending motions or deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 29th day of May, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record